

103D CONGRESS  
1ST SESSION

# H. R. 1420

To amend the Federal Food, Drug, and Cosmetic Act to require ingredient labeling for malt beverages, wine, and distilled spirits and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1993

Mrs. SCHROEDER (for herself, Mr. DELLUMS, Mr. BACCHUS of Florida, Mr. DE LUGO, Mr. KENNEDY, Mr. JOHNSON of South Dakota, Ms. MCKINNEY, Mr. SERRANO, Mr. HUTTO, Mr. ACKERMAN, and Mr. MARKEY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Federal Food, Drug, and Cosmetic Act to require ingredient labeling for malt beverages, wine, and distilled spirits and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Alcohol Ingredient La-  
5       beling Act of 1993”.

1 **SEC. 2. LABELING.**

2 Section 403 of the Federal Food, Drug, and Cosmetic  
3 Act (21 U.S.C. 343) is amended by adding at the end the  
4 following:

5 “(s)(1) If it is a malt beverage (including malt liquor  
6 or malt cooler), wine (including wine cooler or fortified  
7 wine), distilled spirit (including distilled spirit cooler), or  
8 any other beverage, over-the-counter medication, or simi-  
9 lar product containing more than  $\frac{1}{2}$  percent alcohol by  
10 volume unless it bears a label which—

11 “(A) discloses in a non promotional manner the  
12 alcoholic content by volume,

13 “(B) discloses the number of drinks it contains  
14 rounded to the nearest quarter drink,

15 “(C) discloses its ingredients and calories per  
16 container and per drink,

17 “(D) discloses the common or usual name of  
18 each ingredient (including additives), and

19 “(E) bears the following statement: ‘If you or  
20 someone you know has a drinking problem, a call  
21 may be made to (reference to a toll-free number es-  
22 tablished and operated by the Secretary) for help’.

23 “(2) For purposes of paragraph (1):

24 “(A) The term ‘malt beverage’ means a bev-  
25 erage made by the alcoholic fermentation of an infu-  
26 sion or decoction, or combination of both, in potable

1        brewing water of malted barley with hops, or their  
2        parts or products, with or without other malted cere-  
3        als, with or without the addition of unmalted or pre-  
4        pared cereals, other carbohydrates, or materials pre-  
5        pared, with or without the addition of carbon diox-  
6        ide, and with or without other wholesome products  
7        suitable for human food consumption.

8            “(B) The term ‘wine’ means wine as defined in  
9        sections 610 and 617 of the Revenue Act of 1918  
10       and other alcoholic beverages made in the manner of  
11       wine, including sparkling and carbonated wine, wine  
12       made from condensed grape must, wine made from  
13       other agricultural products than the juice of sound,  
14       ripe grapes, imitation wine, wine compounds sold as  
15       wine, vermouth, cider, sherry, and sake if it contains  
16       not less than 7 percent and not more than 24 per-  
17       cent of alcohol by volume and if for nonindustrial  
18       use.

19           “(C) The term ‘distilled spirit’ means ethyl al-  
20       cohool, hydrated oxide of ethyl, spirits of wine, whis-  
21       ky, rum, brandy, gin, and other distilled spirits, in-  
22       cluding all dilutions and mixtures thereof for  
23       nonindustrial use. Such term does not include mix-  
24       tures containing wine, bottled at 48 degrees of proof

1 or less if the mixture contains more than 50 percent  
2 wine on a proof gallon basis.

3 “(D) The term ‘drink’ is a serving of a malt  
4 beverage, wine, or distilled spirit which contains .6  
5 ounces of alcohol by volume.

6 “(E) The term ‘ingredient’ shall not mean inci-  
7 dental or trace ingredients.

8 “(3) The Secretary shall by regulation require that  
9 the information required on a container of a malt bev-  
10 erage, wine, or distilled spirit label by subparagraph (1)—

11 “(A) be located in a conspicuous place on such  
12 label,

13 “(B) appear in conspicuous and legible type  
14 which is in contrast by typography, layout, and color  
15 with other printed matter and which is of a size no  
16 less than one-sixteenth of an inch in height,

17 “(C) be displayed horizontally,

18 “(D) be easily legible when the container is held  
19 in the usual way,

20 “(E) be offset by borders, and

21 “(F) in the case of the requirement of subpara-  
22 graph (1)(B), be stated as a number followed by the  
23 word ‘drinks’, be contained within a beer mug sym-  
24 bol, and be placed on the front of the container.”.

1 **SEC. 3. AUTHORIZATION.**

2       There is authorized to be appropriated to the Sec-  
3 retary \$500,000 for fiscal year 1994 and each succeeding  
4 fiscal year to establish and operate the toll-free number  
5 referred to in section 403(s)(1)(E) of the Federal Food,  
6 Drug, and Cosmetic Act (as added by section 1).

7 **SEC. 4. REPORT.**

8       The Commissioner of the Food and Drug Administra-  
9 tion shall submit a report, within 90 days of the date of  
10 the enactment of this Act, on the effectiveness of the for-  
11 mat of the Surgeon General's warning required by section  
12 204 of the Alcoholic Beverage Labeling Act of 1988 in  
13 combination with the new ingredient information required  
14 on beverage labels by the amendment made by section 2.  
15 The Commissioner shall evaluate the format of such infor-  
16 mation in terms of its legibility, placement, and  
17 noticeability and in terms of other relevant characteristics.  
18 The report shall make recommendations for improving  
19 such format.

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